

ITM



PATENT  
ATTORNEY DOCKET NO.: 040894-7131

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Takashi Fukuda, et al.**

Application No.: 10/523,009

Filed: February 1, 2005

For: INFORMATION RECORDING  
METHOD USING LIGHT-INDUCED  
SURFACE RELIEF

)  
)  
) Confirmation No.: 6526

)  
) Group Art Unit: 1795

)  
) Examiner: A. Verderame

)  
)  
) **Mail Stop Amendment**

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed after the event of 1.97(b), but before the mailing of a Final Office Action. The information contained in this Information Disclosure Statement was cited in an Office Action issued by the Japanese Patent Office dated February 18, 2008 (copy with English-language translation enclosed), in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (IDS). Therefore, no fee is required for filing this Information Disclosure Statement.

Applicants respectfully note that the following non-English language documents cited in the English-language translation of the Japanese Office Action have been submitted in the IDS filed on Feb 1, 2005 in this application; (i) JP-A-5-197959, (ii) JP-A-4-92212, and (iii) JP-A-2002-74665. The following non-English language document has been submitted in the IDS filed on March 14, 2008 in this application; (iv) JP 2002-182547.

A copy of the JP 2002-197663 is attached. Relevance of the Japanese Patent Doc. No. 2002-197663 may be ascertained from the English-language translation of the Japanese Office Action and their Abstract. Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached form.

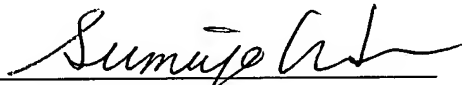
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If it should be determined that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
Sumiyo Onda  
Reg. No. 62,166

Dated: May 13, 2008

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Tel.: (202) 739-3000

SO/fdb